

# 85-118-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.39 (205.34301.1) to permit a side yard setback of 3 feet instead of the required 11.25 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)  
For practical purposes of outdoor storage and protection of automobiles, the carport must be the size indicated. All other houses on Peachtree Court and Woodling Way have either carports or garages. The indicated location is convenient to all entrances of the residence and is the only logical location in consideration of the existing driveway (which is in keeping with the uniformity of the neighborhood). The neighbor on lot 8 supports the proposed carport. Recent construction of a pool has led to the need for additional outdoor storage for pool equipment and patio furniture. Location and design of the proposed carport suit all current practical and esthetic requirements.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Address \_\_\_\_\_  
City and State \_\_\_\_\_ City and State \_\_\_\_\_  
Attention: For Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_  
City and State \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of November, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that a public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of January, 1981, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 29, 1980

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Road Commission  
Bureau of Fire Prevention  
Health Department  
Project Plans  
Building Department  
Board of Education  
County Administration  
Industrial Development

Dr. & Mrs. Stewart Rosenberg  
7 Peachtree Court  
Baltimore, Maryland 21208

RE: Item No. 85  
Petitioner - Stewart P. Rosenberg, et ux  
Variance Petition

Dear Dr. & Mrs. Rosenberg:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

As agreed upon in our telephone conversation, the petition forms were changed to reflect a request of "...3 feet in lieu of the required 11.25 feet." If you have not already done so, the revised petition forms must be initiated. In addition, particular attention should be afforded to the comments of the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NDC:bcc

Enclosures

cc: W. T. Sadler, Inc.  
303 W. Chesapeake Avenue  
Towson, Md. 21204



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

December 2, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #85 (1980-1981)  
Property Owner: Stewart P. & Nancy M. Rosenberg, DDS  
N/W Peachtree Ct. 328.91' W. of Woodling Way  
Acres: 71.5/197 x 249.39/185.37 District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 85 (1980-1981).

Very truly yours,

*Robert A. Morton*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

2-SE Key Sheet  
29 NW 24 sec. Sheet  
NW 8 E Topo  
78 Tax Map



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GERDER  
DIRECTOR

December 29, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #85, Zoning Advisory Committee Meeting, November 5, 1980, are as follows:

Property Owners: Stewart P and Nancy M. Rosenberg, DDS  
Location: NW/4 side Peachtree Court 328.91' W. of Woodling Way  
Acres: 71.5/197 X 249.39/185.37  
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
825-7310

PAUL H. REINCKE  
CHIEF

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Stewart P. & Nancy M. Rosenberg, DDS

Location: NW/4 side Peachtree Court 328.91' W. of Woodling Way

Item No.: 85 Zoning Agenda Meeting of November 5, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. Wagonmatt* Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

TED JALSKI JR.  
DIRECTOR

December 1, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #85 Zoning Advisory Committee Meeting, November 5, 1980 are as follows:

Property Owner: Stewart P & Nancy M. Rosenberg, DDS  
Location: NW/4 Peachtree Court 328.91' W of Woodling Way  
Existing Zoning: D.U. 2  
Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 15'.  
Acres: 71.5/197 X 249.39/185.37  
District: 3rd

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1976, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
- X B. A building/\_\_\_\_\_ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s \_\_\_\_\_.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments: Wood construction within 6' 0" of property line shall be 1 hour rated, or be non combustible construction.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

*Charles S. Burman*  
Charles S. Burman, Chief  
Plans Review

CDH:rrj

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 31, 1980

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: November 5, 1980

RE: Item No: 85, 86, 87, 88, 89, 90  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

*Nick Petrovich*  
Nm. Nick Petrovich, Assistant  
Department of Planning

KNP/bp



ORDER RECEIVED FOR FILING

DATE January 22, 1981  
BY John P. Gerber  
Zoning Commissioner

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general well-being of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of January, 1981, that the herein Petition for Variance(s) to permit a side yard setback of three feet in lieu of the required 11.25 feet, for the expressed purpose of constructing an open carport, in accordance with the site plan prepared by W.T. Sadler, Inc., dated October 6, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Department of Permits and Licenses, dated December 1, 1980.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond  
Zoning Commissioner of  
Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NW/S Peachtree Court 328.91'  
W of Woodling Way, 3rd District : OF BALTIMORE COUNTY  
  
STEWART P. ROSENBERG, et ux, : Case No. 81-118-A  
Petitioners : : : : :  
: : : : :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 18th day of December, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Stewart P. Rosenberg, 7 Peachtree Court, Baltimore, Maryland 21208, Petitioners.

John W. Hession, III  
John W. Hession, III



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

January 16, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #85, Zoning Advisory Committee Meeting of November 5, 1980, are as follows:

Property Owner: Stewart P. & Nancy M. Rosenberg, DDS  
Location: NW/S Peachtree Court 328.91' W. of Woodling Way  
Existing Zoning: D.R. 2  
Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 15'.  
Acres: 71.5/197 X 249.39'/185.37  
District: 3rd

Metropolitan water and sewer exist, therefore no health hazards are anticipated.

Very truly yours,

Ian J. Forrest  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw



baltimore county  
department of traffic engineering  
TOWSON, MARYLAND 21204  
(301) 494-3550

STEPHEN E. COLLINS  
DIRECTOR

December 30, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 85 - ZAC - November 5, 1980  
Property Owner: Stewart P. & Nancy M. Rosenberg, DDS  
Location: NW/S Peachtree Court 328.91' W. of Woodling Way  
Existing Zoning: D.R. 2  
Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 15'.

Acres: 71.5/197 x 249.39'/185.37  
District: 3rd

Dear Mr. Hammond:

This department has no comment for item #85.

Very truly yours,

Michael S. Flanigan  
Michael S. Flanigan  
Engineer Associate II

MSF/lzaa

81-118-A  
116

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond  
Zoning Commissioner  
Norman E. Gerber, Director  
Office of Planning and Zoning  
FROM: Petition No. 81-118-A Item 85  
SUBJECT: Petition for Variance  
Northwest side of Peachtree Court, 328.91 feet West of Woodling Way  
Petitioner- Stewart P. Rosenberg, et ux

Petition for Variance  
Northwest side of Peachtree Court, 328.91 feet West of Woodling Way  
Petitioner- Stewart P. Rosenberg, et ux

Third District

HEARING: Tuesday, January 13, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:ab

DESCRIPTION FOR VARIANCE

Beginning at the northwest side of Peachtree Court with a distance of 328.91' from Woodling Way known as Lot 7, Block B, as shown on Amended Plat of Lots 7 and 8, Block B of Section 1, Woodholme Estate, which Plat is recorded on the Land Records of Baltimore County in Plat Book C.L.B. 25, folio 12.

PETITION FOR VARIANCE

3rd District

ZONING: Petition for Variance  
LOCATION: Northwest side of Peachtree Court, 328.91 feet West of Woodling Way  
DATE & TIME: Tuesday, January 13, 1981, at 9:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 11.25 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3B (205.3 & 301.1) - Standards Applicable to Existing Developments Projection into yards

All that parcel of land in the Third District of Baltimore County

Being the property of Stewart P. Rosenberg, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, January 13, 1981 at 9:30 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond  
Zoning Commissioner  
Norman E. Gerber, Director  
Office of Planning and Zoning  
FROM: Petition No. 81-118-A Item 85  
SUBJECT: Petition for Variance  
Northwest side of Peachtree Court, 328.91 feet West of Woodling Way  
Petitioner- Stewart P. Rosenberg, et ux

Petition for Variance  
Northwest side of Peachtree Court, 328.91 feet West of Woodling Way  
Petitioner- Stewart P. Rosenberg, et ux

Third District

HEARING: Tuesday, January 13, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:ab



